

BEFORE THE DIVISION OF MEDICAL QUALITY  
BOARD OF MEDICAL QUALITY ASSURANCE  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation  
Against:  
CALVIN N. LADNER, M.D.,  
Respondent.

NO. D-1960  
L-13891

DECISION

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Division of Medical Quality as its Decision in the above-entitled matter.

A copy of Section 11522 of the Government Code and a copy of the Agency's Criteria Relating to Rehabilitation are appended hereto and made a part hereof

This Decision shall become effective on the 30th day of NOVEMBER, 1977.

IT IS SO ORDERED this 31st day of OCTOBER, 1977.

DIVISION OF MEDICAL QUALITY  
BOARD OF MEDICAL QUALITY ASSURANCE  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

by Blanche C. Bersch  
BLANCHE C. BERSCH  
Secretary-Treasurer

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Against:

CALVIN N. LADNER, M.D.,

Respondent.

NO. D-1960

L-13891

PROPOSED DECISION

This matter came on regularly for hearing before Helen L. Gallagher, Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California, on August 16, 1977, at the hour of 1:00 p.m. Steven M. Kahn, Deputy Attorney General, represented the complainant. Respondent was represented at the hearing by Richard I. McCann, Attorney at Law. Based upon the admission by respondent the following facts are found to be true:

I

Joseph P. Cosentino filed the Accusation in his official capacity as the Acting Executive Director of the Board of Medical Quality Assurance of the State of California.

II

On or about July 19, 1967 respondent was issued a Physician's and Surgeon's Certificate by the Board of Medical Examiners of the State of California (now known as the Board of Medical Quality Assurance of the State of California) and that at all times herein mentioned was and now is licensed to practice medicine and surgery in the State of California.

III

A. On or about December 8, 1976, in a proceeding entitled "People of the State of California v. Ladner, Calvin," Los Angeles Superior Court Case No. A135975, respondent, following

a plea of guilty, was convicted of violating Section 11368 of the Health and Safety Code, a misdemeanor and sentenced to one year in the county jail, which sentence was suspended and respondent was placed on probation for a period of three years pursuant to various terms of probation.

B. That the circumstances involving said conviction are as follows:

On or about April 8, 1976, respondent wrote a prescription for Demerol, purportedly for a patient, Glen V [REDACTED], subsequently filled said prescription and received the Demerol, and that on April 8, 1976, Glen V [REDACTED] was not being treated by respondent and did not receive any Demerol.

IV

A. On or about April 22, 1976, respondent wrote a prescription for Demerol, purportedly for patient Glen V [REDACTED] and that respondent subsequently had said prescription filled and obtained the Demerol.

B. Said prescription for Glen V [REDACTED] was false and fictitious in that on or about April 22, 1976, Glen V [REDACTED] was not being treated by respondent, and that said patient never received any Demerol on said date.

V

A. 1. That on or about May 25, 1975 and June 1, 1975, respondent wrote prescriptions for Demerol purportedly for patient Glen V [REDACTED].

2. On or about April 9, 1976, respondent requested Dr. David Mysko to write a prescription for morphine sulfate, purportedly for patient Glen V [REDACTED].

3. On or about April 10, 1976, respondent caused Dr. William Bashucky to write a prescription for morphine sulfate purportedly for patient Glen V [REDACTED].

4. Said prescriptions alleged in subparagraphs 12A(1) through 12A(3) hereinabove were false in that said

prescriptions were never given to Glen V [REDACTED] nor did said patient receive the Demerol and morphine sulfate purportedly prescribed for him.

B. 1. On or about October 23, 1975, respondent wrote a prescription for Demerol, purportedly for patient Linda O [REDACTED].

2. Said prescription was false in that on or about October 23, 1975, Linda O [REDACTED] was not a patient of respondent nor did she receive any of the Demerol purportedly prescribed for her.

C. 1. On or about May 27, 1975, respondent wrote a prescription for Demerol, purportedly for patient Tracy R [REDACTED].

2. On or about June 3, 1975, respondent wrote a prescription for Eskatrol capsules, purportedly for patient Tracy R [REDACTED].

3. Said prescriptions for Demerol and Eskatrol for patient Tracy R [REDACTED] alleged in subparagraphs 12C(1) through 12C(2) hereinabove were false in that on or about May 27, 1975 and June 3, 1975, Tracy R [REDACTED] was not a patient of respondent and did not receive the Demerol or Eskatrol purportedly prescribed for her.

D. 1. On or about June 2, 1975, respondent wrote a prescription for Demerol, purportedly for patient Loraine M. S [REDACTED].

2. Said prescription was false in that on or about June 2, 1975, Loraine M. S [REDACTED] was not a patient of respondent and did not receive any Demerol.

E. 1. On or about September 16, 1975, respondent wrote a prescription for Demerol, purportedly for patient Eva A [REDACTED].

2. Said prescription was false in that on or about September 10, 1975, Mrs. A [REDACTED] was not a patient of respondent and did not receive any Demerol.

F. 1. On or about June 5, 1975, respondent wrote a prescription for Demerol, purportedly for patient Alice F [REDACTED] at 9540 Van Nuys Boulevard, Panorama City, California.

2. Said prescription was false in that no such person resided at that address.

G. 1. On or about June 10, 1975, respondent wrote a prescription for Demerol, purportedly for patient Alice F. [REDACTED] at 6540 Van Nuys Boulevard.

2. Said prescription was false in that said address did not exist.

H. 1. On or about June 8, 1975, respondent wrote a prescription for Demerol, purportedly for patient Gino B. [REDACTED] at 6153 Ventura Boulevard.

2. Said prescription was false in that said address did not exist.

I. 1. On or about June 9, 1975, respondent wrote a prescription for Demerol, purportedly for a Michael B. [REDACTED] at 6143 Laurel Canyon, Studio City.

2. Said prescription was false in that said address did not exist.

J. 1. On or about June 5, 1975, respondent wrote a prescription for Demerol, purportedly for a Kitty M. [REDACTED] at 25015 Nordhoff, Sepulveda.

2. Said prescription was false in that said address did not exist.

\* \* \* \* \*

Pursuant to the foregoing admitted facts, respondent admits the following determination of issues:

I

Grounds for the revocation of respondent's license have been established pursuant to Sections 490, 2384 and 2391.5 of the Business and Professions Code.

\* \* \* \* \*

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The license heretofore issued to respondent Calvin N. Ladner, M.D. to practice medicine and surgery in the State of California is hereby revoked.

I hereby submit the foregoing which

constitutes a Proposed Decision  
in the above-entitled matter as  
a result of the hearing had before  
me on the above date at Los Angeles,  
California.



HELEN L. GALLAGHER  
Administrative Law Judge  
Office of Administrative Hearings

DATED: August 19, 1977

HLG:mh

1 EVELLE J. YOUNGER, Attorney General  
 2 STEVEN M. KAHN,  
 3 Deputy Attorney General  
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 6 Los Angeles, California 90010  
 7 Telephone: (213) 736-2047  
 8 Attorneys for Complainant

9  
 10 BEFORE THE DIVISION OF MEDICAL QUALITY  
 11 BOARD OF MEDICAL QUALITY ASSURANCE  
 12 DEPARTMENT OF CONSUMER AFFAIRS  
 13 STATE OF CALIFORNIA

14 In the Matter of the Accusation  
 15 Against:

16 CALVIN N. LADNER, M.D.,  
 Respondent.

NO. D-1960  
 ACCUSATION

17 COMES NOW JOSEPH P. COSENTINO, the complainant herein,  
 18 and alleges as follows:

19 1. At the time of executing and filing the within  
 20 pleading, the complainant was, and now is, the Acting Executive  
 21 Director of the Board of Medical Quality Assurance of the State  
 22 of California (hereinafter the "Board"), and that he performed  
 23 said acts in his official capacity as such and not otherwise.

24 2. On or about July 19, 1967, respondent Calvin N.  
 25 Ladner (hereinafter the "respondent") was issued a physician's  
 26 and surgeon's certificate by the Board of Medical Examiners of  
 27 the State of California (now known as the Board of Medical Quality  
 28 Assurance of the State of California), and that at all times  
 29 herein mentioned was, and now is, licensed to practice medicine  
 30 and surgery in the State of California.

3. Pursuant to sections 2360 and 2361 of the Business and Professions Code, the Division of Medical Quality of the Board of Medical Quality Assurance shall take action against a holder of a certificate who is guilty of unprofessional conduct.

4. At all times herein mentioned, section 490 of the Business and Professions Code provided, in part, that a Board may suspend or revoke a license on the grounds that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

5. At all times herein mentioned, section 2384 of the Business and Professions Code provided, in part, that the conviction of a charge of violating any statute of the State of California regulating narcotics, dangerous drugs, or controlled substances constitutes unprofessional conduct.

6. At all times herein mentioned, section 2391.5 of the Business and Professions Code provided, in part, that a violation of any of the statutes of the State of California regulating narcotics, dangerous drugs, or controlled substances constitutes unprofessional conduct.

7. At all times herein mentioned, section 11368 of the Health and Safety Code provided, in part, that every person who forges a prescription or who issues or utters an altered prescription or who obtains any narcotic drug by any forged, fictitious, or altered prescription, or who has in his possession any narcotic drug secured by such forged, fictitious, or altered prescription shall be subject to fine or imprisonment.

8. At all times herein mentioned, morphine sulfate was a narcotic and controlled substance pursuant to sections 11032 and 11054 of the Health and Safety Code; Demerol, a derivative of pethidine, and Eskatrol, the brand name of dextroamphetamine.



1 sulfate, were narcotics and controlled substances pursuant to  
2 sections 11032 and 11055 of the Health and Safety Code; and that  
3 morphine sulfate, Demerol and Eskatrol were dangerous drugs  
4 pursuant to section 4211 of the Business and Professions Code.

5 9. Respondent is subject to disciplinary action pursuant  
6 to sections 2360 and 2361 of the Business and Professions Code,  
7 in conjunction with sections 490, 2384, and 2391.5 of the Business  
8 and Professions Code in that he has been convicted of violating  
9 a statute of the State of California regulating narcotics,  
10 dangerous drugs, and controlled substances, which crime is sub-  
11 stantially related to his functions, duties, and qualifications  
12 as a licensee, as more particularly alleged hereinafter:

13 A. On or about December 8, 1976, in a  
14 proceeding entitled "People of the State of  
15 California v. Ladner, Calvin," Los Angeles Superior  
16 Court Case No. A135975, respondent, following a  
17 plea of guilty, was convicted of violating section  
18 11368 of the Health and Safety Code, a misdemeanor  
19 and sentenced to one year in the county jail, which  
20 sentence was suspended and respondent was placed on  
21 probation for a period of three years pursuant to  
22 various terms of probation.

23 B. That the circumstances involving said  
24 conviction are as follows:

25 On or about April 8, 1976, re-  
26 spondent wrote a prescription for Demerol,  
27 purportedly for a patient, Glen V [REDACTED],  
28 subsequently filled said prescription and  
29 received the Demerol, and that on April 8,  
30 1976, Glen V [REDACTED] was not being treated  
31 by respondent and did not receive any Demerol.

10. At all times herein mentioned, section 11173(b) of the Health and Safety Code provided that no person shall make a false statement in any prescription, order, report, or record, required by Division 10 of the Health and Safety Code.

11. Respondent is subject to disciplinary action pursuant to sections 2360 and 2361 of the Business and Professions Code in conjunction with section 2391.5 of said Code, in that he has violated statutes of the State of California regulating narcotics, dangerous drugs, and controlled substances, to wit, sections 11173(b) and 11368 of the Health and Safety Code, as more particularly alleged hereinafter:

A. On or about April 22, 1976, respondent wrote a prescription for Demerol, purportedly for patient Glen V. [REDACTED] and that respondent subsequently had said prescription filled and obtained the Demerol.

B. Said prescription for Glen V. [REDACTED] was false and fictitious in that on or about April 22, 1976, Glen V. [REDACTED] was not being treated by respondent, and that said patient never received any Demerol on said date.

12. Respondent is further subject to disciplinary action pursuant to sections 2360 and 2361 of the Business and Professions Code, in conjunction with section 2391.5 of said Code in that he has violated statutes of the State of California regulating narcotics, dangerous drugs, and controlled substances, to wit, section 11173(b) of the Health and Safety Code as more particularly alleged hereinafter:

A. 1. That on or about May 25, 1975 and June 1, 1975, respondent wrote prescriptions for Demerol purportedly for patient Glen V. [REDACTED].

2. On or about April 9, 1976, respondent requested Dr. David Mysko to write a prescription for morphine sulfate, purportedly for patient Glen V [REDACTED].

3. On or about April 10, 1976, respondent caused Dr. William Bashucky to write a prescription for morphine sulfate purportedly for patient Glen V [REDACTED].

4. Said prescriptions alleged in subparagraphs 12A(1) through 12A(3) hereinabove were false in that said prescriptions were never given to Glen V [REDACTED] nor did said patient receive the Demerol and morphine sulfate purportedly prescribed for him.

B. 1. On or about October 23, 1975, respondent wrote a prescription for Demerol, purportedly for patient Linda O [REDACTED].

2. Said prescription was false in that on or about October 23, 1975, Linda O [REDACTED] was not a patient of respondent nor did she receive any of the Demerol purportedly prescribed for her.

C. 1. On or about May 27, 1975, respondent wrote a prescription for Demerol, purportedly for patient Tracy R [REDACTED].

2. On or about June 3, 1975, respondent wrote a prescription for Eskatrol capsules, purportedly for patient Tracy R [REDACTED].

3. Said prescriptions for Demerol and Eskatrol for patient Tracy R [REDACTED] alleged in subparagraphs 12C(1) through 12C(2) hereinabove were false in that on or about May 27, 1975 and

1 June 3, 1975, Tracy R [REDACTED] was not a patient  
2 of respondent and did not receive the Demerol or  
3 Eskatrol purportedly prescribed for her.

4 D. 1. On or about June 2, 1975, re-  
5 spondent wrote a prescription for Demerol,  
6 purportedly for patient Loraine M. S [REDACTED]

7 2. Said prescription was false in  
8 that on or about June 2, 1975, Loraine M. S [REDACTED]  
9 was not a patient of respondent and did not receive  
10 any Demerol.

11 E. 1. On or about September 16, 1975,  
12 respondent wrote a prescription for Demerol,  
13 purportedly for patient Eva A [REDACTED]

14 2. Said prescription was false in  
15 that on or about September 10, 1975, Mrs. A [REDACTED]  
16 was not a patient of respondent and did not receive  
17 any Demerol.

18 F. 1. On or about June 5, 1975, re-  
19 spondent wrote a prescription for Demerol,  
20 purportedly for patient Alice F [REDACTED] at 9540  
21 Van Nuys Boulevard, Panorama City, California.

22 2. Said prescription was false in  
23 that no such person resided at that address.

24 G. 1. On or about June 10, 1975, re-  
25 spondent wrote a prescription for Demerol,  
26 purportedly for patient Alice F [REDACTED] at 6540  
27 Van Nuys Boulevard.

28 2. Said prescription was false in  
29 that said address did not exist.

30 H. 1. On or about June 8, 1975, re-  
31 spondent wrote a prescription for Demerol,

1 purportedly for patient Gino B [REDACTED] at 6153  
2 Ventura Boulevard.

3 2. Said prescription was false in  
4 that said address did not exist.

5 I. 1. On or about June 9, 1975, re-  
6 spondent wrote a prescription for Demerol,  
7 purportedly for a Michael B [REDACTED] at 6143 Laurel  
8 Canyon, Studio City.

9 2. Said prescription was false in  
10 that said address did not exist.

11 J. 1. On or about June 5, 1975, re-  
12 spondent wrote a prescription for Demerol,  
13 purportedly for a Kitty M [REDACTED] at 25015 Nordhoff,  
14 Sepulveda.

15 2. Said prescription was false in  
16 that said address did not exist.

17 13. At all times herein mentioned, section 2361(f)  
18 [formerly 2361(e)] provided, in part, that the commission of any  
19 act involving dishonesty constitutes unprofessional conduct.

20 14. Respondent is subject to disciplinary action pursuant  
21 to sections 2360 and 2361 of the Business and Professions Code in  
22 that he has committed dishonest acts in violation of section  
23 2361(e) of said Code as alleged in subparagraphs 9A, 9B, 11A, 11B,  
24 and 12A(1) through 12J(2) hereinabove and which are incorporated  
25 herein by reference as though fully set forth at this point.

26 15. At all times herein mentioned, section 2390 of the  
27 Business and Professions Code provided, in part, that the use or  
28 administering to himself of any of the controlled substances  
29 specified in Schedule II of section 11055 of the Health and Safety  
30 Code constitutes unprofessional conduct.

31 /

16. Respondent is subject to disciplinary action pursuant to sections 2360 and 2361 of the Business and Professions Code in conjunction with section 2390 of said Code in that he has used and administered to himself controlled substances specified in Schedule II of section 11055 of the Health and Safety Code as more particularly alleged hereinafter:

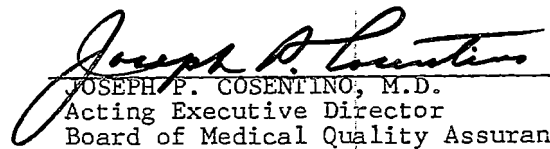
A. On or about October 19, 1975, respondent, while at Granada Hills Community Hospital, Granada Hills, California, obtained 100 mg. of Demerol, purportedly for patient P. D. [REDACTED]. Said patient did not receive the Demerol and respondent used and administered the Demerol to himself.

B. On or about October 21, 1975, respondent, while at Granada Hills Community Hospital, Granada Hills, California, requested Demerol for patient S. A. [REDACTED]. Said patient did not receive the Demerol and respondent used and administered the Demerol to himself.

C. On or about April 21, 1976, respondent requested Demerol for a patient B. [REDACTED]. Said patient did not receive the Demerol and respondent used and administered the Demerol to himself.

WHEREFORE, complainant prays that the Division of Medical Quality of the Board of Medical Quality Assurance hold a hearing on the allegations contained herein, and following said hearing, take such action as provided in section 2372 of the Business and Professions Code, and take such other and further action as may be proper.

DATED: March 3, 1977.

  
JOSEPH P. COSENTINO, M.D.  
Acting Executive Director  
Board of Medical Quality Assurance  
State of California

Complainant